

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34905 of 2021

Arising Out of PS. Case No.-298 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. Mantun Das S/O Ghochu Das Resident Of Village-Mirzapur, Police Station Shambhuganj, District-Banka.
2. Tuntun Das S/O Ghochu Das Resident Of Village-Mirzapur, Police Station Shambhuganj, District-Banka.
3. Asesar Das S/O Ghochu Das Resident Of Village-Mirzapur, Police Station Shambhuganj, District-Banka.
4. Saraswati Devi W/O Tuntun Das Resident Of Village-Mirzapur, Police Station Shambhuganj, District-Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned Counsel for the petitioners is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 461, 380 of the Indian Penal
Code.

Prosecution case, in short, is that the accused persons



committed theft in the house of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The names of the petitioners have transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in this case. There is no recovery of any incriminating article from the possession of the petitioners. Petitioner No.4 is a lady. It is further pointed out that the petitioners and the informant are neighbours.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Banka in connection with Shambhuganj P.S. case No.298/2020, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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